

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA  
SAVANNAH DIVISION**

<b>UNITED STATES OF AMERICA</b>	)	
	)	
<b>V.</b>	)	<b>CASE NO. 4:21-CR-0111-RSB-CRR</b>
	)	
<b>RAPHAEL SAMUEL SMITH,</b>	)	
	)	
<b>Defendant.</b>	)	

**DEFENDANT’S CONSENT TO CONTINUE EVIDENTIARY HEARING**

COMES NOW the Defendant above-named, by and through undersigned counsel, and files his consent to the Government’s Motion To Continue Evidentiary Hearing [Doc. 729]. In support thereof, the Defendant shows as follows:

1. An evidentiary hearing on the Defendant’s Motions; First Motion to Suppress Search Warrant and Other Evidence [Doc. 341], Amended on February 28, 2023 [Doc. 728], First Motion to Exclude from Wiretap [Doc. 371], and First Motion to Exclude Evidence Seized from Search of Cell Phones [Doc. 372] are currently scheduled for Friday, March 3, 2023 at 9:00 AM.
2. On March 1, 2023, the Government filed a Motion To Continue Evidentiary Hearing [Doc. 729]. Defendant has no opposition to this motion and will join the Government to request the same.

WHEREFORE, based upon the within and foregoing, the Defendant requests that the Court enter an order granting a continuance of this evidentiary hearing.

This 2 day of March, 2023.

Respectfully submitted,

/s/ Bruce S. Harvey  
LAW OFFICE OF BRUCE S. HARVEY  
ATTORNEY FOR DEFENDANT  
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Atlanta, Georgia 30303  
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**CERTIFICATE OF SERVICE**

This is to certify that I have this day served a copy of the within and foregoing Defendant's Consent To Continue Evidentiary Motion upon opposing counsel by using the Court's eFile Pacer system which will deliver a copy to all registered to receive service via eFileGA, addressed as follows:

Frank Pennington, AUSA  
22 Barnard Street, Ste 300  
Savannah, Georgia 31401

This 2 day of March, 2023.

/s/ Bruce S. Harvey  
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